

## Article - Environment

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§15-801.

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Affected land” means the land from which the mineral is removed by surface mining, and all other land area in which the natural land surface has been disturbed as a result of or incidental to the surface mining activities of the permittee, including private ways and roads appurtenant to the area, land excavations, workings, refuse piles, spoil piles, and tailings.
- (c) “Borrow pit” means an area from which soil or other unconsolidated materials are removed to be used, without further processing, as fill for activities such as landscaping, building construction, or highway construction and maintenance.
- (d) “Contiguous” means in actual contact, sharing a common property boundary, or separated only by a stream or the right-of-way of a road or highway.
- (e) “Department” means the Department of the Environment.
- (f) “Land” means the surface of the land upon which surface mining is conducted.
- (g) “Landowner” means a person who possesses legal title to the land.
- (h) “Licensee” means a person who is authorized by the Department to conduct surface mining and reclamation activities under § 15-807 of this subtitle.
- (i) “Minerals” means any solid material, aggregate, or substance of commercial value, whether consolidated or loose, found in natural deposits on or in the earth, including clay, diatomaceous earth, gravel, marl, metallic ores, sand, shell, soil, and stone. The term does not include coal.
- (j) “Mining and reclamation plan” means the permittee’s written proposal as required and approved by the Department for the conduct of mining and the reclamation of the affected land.
- (k) “Neighboring” means in close proximity or in the immediate vicinity, but not in actual contact.

(l) “Operation” means the pit located upon a single tract of land or a continuous pit embracing or extending upon two or more contiguous tracts of land.

(m) “Overburden” means the strata or material overlying a mineral deposit, or in between mineral deposits in its natural state, and before its removal by surface mining.

(n) “Permittee” means a person who holds a valid permit to conduct surface mining and reclamation operations approved by the Department under § 15-810 of this subtitle.

(o) “Person” means an individual, receiver, trustee, guardian, executor, administrator, fiduciary, or representative of any kind, or any partnership, firm, association, public or private corporation, or any other entity.

(p) “Pit” means the place any minerals are being mined by the surface mining method.

(q) “Pre-law surface mine” means a noncoal surface mine which was mined and unreclaimed prior to January 1, 1977.

(r) “Reclamation” means the reasonable rehabilitation of the affected land for useful purposes and the protection of the natural resources of the surrounding area including ponds.

(s) “Refuse” means all waste soil, rock, mineral, scrap, tailings, slimes, and other materials directly connected with the mining, cleaning, and preparation of substances mined and includes all waste materials deposited on or in the permit area from other sources.

(t) “Spoil pile” means the overburden and reject materials as piled or deposited in surface mining.

(u) “Surface mining” means all of the following:

(1) The breaking of the surface soil in order to facilitate or accomplish the extraction or removal of minerals;

(2) Any activity or process constituting all or part of a process for the extraction or removal of minerals from their original location; or

(3) The extraction of sand, gravel, rock, stone, earth, or fill from borrow pits for highway construction purposes or other public facilities.

(v) “Tract” means a single parcel of land or two or more contiguous parcels of land with common ownership.

(w) “Unreclaimed” means land which has not been rehabilitated for useful purposes or the protection of natural resources.

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